



3732

Docket No. DEP-673CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Michael A. Wack

Serial No. : 10/633,469

Art Unit: 3732

Filed : August 1, 2003

Examiner:

For : DUAL LOCKING PLATE AND ASSOCIATED METHOD

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February 4, 2004

(Date of Deposit)

Jennifer Emrick

(Name of applicant, assignee, or Registered Representative)

Jennifer Emrick

(Signature)

February 4, 2004

(Date of Signature)

Commissioner for Patents  
Alexandria, VA 22313-1450

**SUPPLEMENTARY INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/DEP673CIP/JSW the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/DEP673CIP/JSW the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the non-US references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ There are no listed references which are not in the English language.

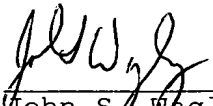
☒ The relevance of those listed references which are not in the English language is as follows: The relevance can be determined by reference to the drawings.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

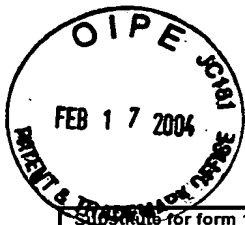
☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/DEP673CIP/JSW. This form is submitted in triplicate.

Respectfully submitted,

  
\_\_\_\_\_  
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DATED: February 4, 2004



PTO/SB/08A (08-00)

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Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

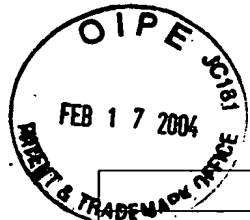
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Sheet 1 of 6

<b>Application Number</b>	
<b>Filing Date</b>	
<b>First Named Inventor</b>	Michael Wack
<b>Group Art Unit</b>	
<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	DEP-673CIP

## **U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		31,628		Allgower et al.	July 10, 1984	
		3,958,888		Mullenberg	May 25, 1976	
		4,102,339		Weber et al.	July 25, 1978	
		4,408,601		Wenk	October 11, 1983	
		4,513,744		Klaue	April 30, 1985	
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		4,768,524		Hardy	September 6, 1988	
		4,790,297		Luque	December 13, 1988	
		4,827,917		Brumfield	May 9, 1989	
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		5,041,114		Chapman et al.	August 20, 1991	
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		5,190,544		Chapman et al.	March 2, 1993	
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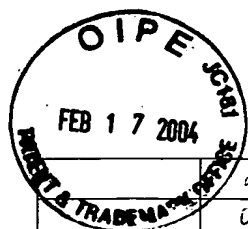
	5,507,801	Gisin et al.	April 16, 1996
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	5,531,746	Errico et al.	July 2, 1996
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	A1	2003/0163199		Boehm et al.	August 28, 2003	

#### FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				
	✓	DE	43 41 980	A1	gleich Anmelder	June 14, 1995		
	✓	DE	43 43 117	A1	Erfinder wird später genannt werden	June 22, 1995		
	✓	EP	0 053 999	B1	Klaue, Kaj, Hospita d' arrondissement	June 18, 1982		
	✓	EP	0 145 666	B1	Mathys, Robert, Dr.	June 19, 1985		
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	✓	EP	0 330 881	B1	Sherman, Michael	September 6, 1989		



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✓	EP	0 405 132	B1	Frigg, Robert	January 2, 1991		
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✓	EP	0 447 824	B1	Frigg, Robert	September 25, 1991		
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✓	EP	0 468 192	B1	Frigg, Robert	January 29, 1992		
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✓	EP	0 487 895	B1	Schlapfer, Johannes Fridolin	June 3, 1992		
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✓	EP	0 491 149	B1	Zurbrugg, Andreas	June 24, 1992		
✓	EP	0 509 322	B1	Schlapfer, Johannes Fridolin	October 21, 1992		
✓	EP	0 512 262	B1	Frigg, Robert	November 11, 1992		
✓	EP	0 524 441	B1	Schlapfer, Johannes Fridolin	January 1, 1993		
✓	EP	0 530 585	B1	Gogolweski, Sylvester	March 10, 1993		
✓	EP	0 599 847	B1	Schlapfer, Johannes Fridolin	June 8, 1994		
✓	EP	0 633 750	B1	Lusardi, Werther Giovanni, Dr.	January 18, 1995		
✓	EP	0 657 142	B1	Schavan, Robert	June 14, 1995		
✓	EP	0 684 017	B1	Lusardi, Werther Giovanni, Dr.	November 29, 1995		
✓	EP	0 705 572	B1	Trebing, Linda	April 10, 1996		
✓	EP	0 723 492	B1	Seifert, Hans-Carsten	July 31, 1996		
✓	EP	0 723 764	B1	Medoff, Robert	January 27, 1985		
✓	EP	0760 632	B1	Talos, Gilbert	March 12, 1997		
✓	EP	0 828 459	B1	Errico, Joseph	March 18, 1997		
✓	EP	0 836 437	B1	Talos, Gilbert	April 22, 1998		
✓	EP	0 848 600	B1	Frigg, Robert	June 24, 1998		
✓	EP	0 863 727	B1	Schaeffer, Fridolin	September 16, 1998		
✓	EP	1 250 892	A2	Wack, Michael	October 23, 2002		
✓	EP	1 364 623	A1	Errico, Joseph	April 13, 1995		
✓	FR	2 233 973		Chatin, Joseph	June 25, 1973		
✓	FR	2 254 298		Chatin, Joseph	December 18, 1973		
✓	FR	2 405 062		Dayan, Robert Gabriel	October 10, 1977		
✓	FR	2 405 705		Dayan, Robert Gabriel	October 14, 1977		
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✓	UK	2 033 755	A	Rambert, Andre	May 29, 1980		
✓	JP	8-266562			October 15, 1996		



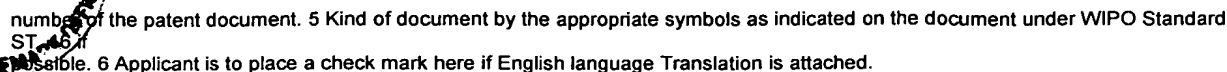


✓	SU	1279626	A1	Gurin, V.F.	December 30, 1986		
✓	WO	88/03781		Raveh, Joram	June 2, 1988		
✓	WO	88/04161		Medoff, Robert	June 16, 1988		
✓	WO	94/00066		Schlapfer, Johannes Fridolin	January 6, 1994		
✓	WO	94/16634		Klaue, Kaj	August 4, 1994		
✓	WO	96/22743		Medoff, Robert	August 1, 1996		
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✓	WO	96/25118		Medoff, Robert	August 22, 1996		
✓	WO	96/25892		Haag, Rene	August 29, 1996		
✓	WO	97/01991		Talos, Gilbert	January 23, 1997		
✓	WO	97/02786		Errico, Joseph	January 30, 1997		
✓	WO	97/09000		Frigg, Robert	March 13, 1997		
✓	WO	97/20514		Hausman, Michael	June 12, 1997		
✓	WO	97/38640		Errico, Joseph	October 23, 1997		
✓	WO	97/42912		Medoff, Robert	November 20, 1997		
✓	WO	97/47251		Esser, Rene	December 18, 1997		
✓	WO	98/15233		Errico, Joseph	April 16, 1998		
✓	WO	99/05968		Bono, Frank	February 11, 1999		
✓	WO	99/09903		Klaue, Kaj	March 4, 1999		
✓	WO	99/11188		Klaue, Kaj	March 11, 1999		
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✓	WO	00/03653		Theken, Randall	January 27, 2000		
✓	WO	00/47120		Bono, Frank	August 17, 2000		
✓	WO	00/53110		Wagner, Michael	September 14, 2000		
✓	WO	00/53111		Wagner, Michael	September 14, 2000		
✓	WO	00/69351		Schlapfer, Johannes Fridolin	November 23, 2000		
✓	WO	01/03593	A1	Frigg, Robert	January 18, 2001		
✓	WO	01/19267	A1	Weaver, Paul	March 22, 2001		
✓	WO	01/72246	A1	Bohm, Heinrich	October 4, 2001		
✓	WO	01/74261	A1	Hall, Harry	October 11, 2001		
✓	WO	01/76493	A1	Frei, Reto	October 18, 2001		
✓	WO	01/78615	A1	Brace, Michael	October 25, 2001		
✓	WO	02/096309	A1	Niederberbger, Alfred	December 5, 2002		
✓	WO	03/020007	A2	Orbay, Jorge	March 13, 2003		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial



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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

## Sheet

Application Number

Filing Date

**First Named Inventor**

*Group Art Unit*

**Examiner Name**

Attorney Docket Number

DEP-673CIP

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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